

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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U.S. OIL TRADING LLC,	:
	:
Plaintiff,	:
	:
-against-	:
	:
M/V VIENNA EXPRESS, her tackle, boilers, apparel, furniture, engines, appurtenances, etc., <i>in rem</i> , and M/V SOFIA EXPRESS, her tackle, boilers, apparel, furniture, engines, appurtenances, etc., <i>in rem</i> , and Hapag-Lloyd Aktiengesellschaft, <i>as claimant to the in rem defendant M/V VIENNA EXPRESS</i> ,	:
	:
Defendants.	:
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Hapag-Lloyd Aktiengesellschaft, <i>as claimant to the in rem defendant M/V VIENNA EXPRESS</i> ,	:
	:
Counter-Claimant and Third-Party Plaintiff,	:
	:
-against-	:
	:
U.S. OIL TRADING LLC,	:
	:
Counter-Defendant, and	:
	:
O.W. BUNKER GERMANY GMBH, O.W. BUNKER & TRADING A/S, ING BANK N.V.,	:
	:
Third-Party Defendants	:
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15-CV-6718 (VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

On December 17, 2014, Plaintiff U.S. Oil Trading LLC (“U.S. Oil”) commenced this action in the Western District of Washington against the VIENNA EXPRESS and the SOFIA EXPRESS *in rem*, based on its alleged maritime lien claims against those vessels. By Order dated August 7, 2015, the Honorable Robert J. Bryan granted a motion to transfer this action to this District pursuant to 28 U.S.C. § 1404(a).

U.S. Oil’s claims as against the SOFIA EXPRESS have been stayed pursuant to a restraining order entered by this Court in a related action, *Hapag-Lloyd Aktiengesellschaft v. U.S. Oil Trading L.L.C. et al.*, 14-CV-9949 (VEC). With respect to the VIENNA EXPRESS, U.S. Oil has moved for summary judgment. Dkt. 37. Third-Party Plaintiff Hapag-Lloyd Aktiengesellschaft, Third-Party Defendant O.W. Bunker Germany GMBH and Third-Party Defendant ING Bank N.V. have opposed U.S. Oil’s Motion for Summary Judgment, arguing *inter alia* that the Motion should be denied without prejudice to renewal upon completion of discovery pursuant to Rule 56(d) of the Federal Rules of Civil Procedure. Dkts. 54, 58, 60. Because non-moving parties are generally entitled to a full and fair opportunity to discover information necessary to oppose a motion for summary judgment, *Trebor Sportswear Co. v. The Ltd. Stores, Inc.*, 865 F.2d 506, 511 (2d Cir. 1989) (quoting *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 250 n.5 (1986)), U.S. Oil’s Motion for Summary Judgment is denied without prejudice to renewal upon the completion of discovery.

SO ORDERED.

**Date: September 24, 2015
New York, New York**


VALERIE CAPRONI
United States District Judge